

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMURL A. SCOTT,

Plaintiff,

v.

PADILLA,

Defendant.

Case No. 2:24-cv-01297-JDP (PC)

ORDER

DIRECTING PLAINTIFF TO SUBMIT AN
APPLICATION TO PROCEED *IN FORMA*
PAUPERIS OR PAY THE FILING FEE AND
RE-FILE A SIGNED COMPLAINT

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has not, however, filed an *in forma pauperis* affidavit or paid the required filing fee of \$350.00 plus the \$55.00 administrative fee.¹ See 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff will be provided the opportunity either to submit the appropriate affidavit in support of a request to proceed *in forma pauperis* or to submit the required fees totaling \$405.00.

Additionally, plaintiff did not sign his complaint. Parties proceeding without counsel are required to sign all pleadings, motions, and other papers submitted to the court for filing. Fed. R. Civ. P. 11(a). Thus, the court is unable to consider plaintiff's complaint unless he signs and re-files it. Accordingly, plaintiff is provided an opportunity to re-file his complaint bearing his

¹ If leave to file *in forma pauperis* is granted, plaintiff will still be required to pay the filing fee but will be allowed to pay it in installments. Litigants proceeding *in forma pauperis* are not required to pay the \$55.00 administrative fee.

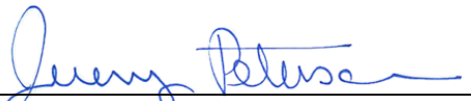
signature.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Plaintiff shall submit, within thirty days from the date of this order, an affidavit in support of his request to proceed *in forma pauperis* on the form provided by the Clerk of Court, or the required fees in the amount of \$405.00; plaintiff's failure to comply with this order will result in a recommendation that this action be dismissed;
2. Plaintiff shall re-file, within thirty days from the date of this order, a signed complaint; and
3. The Clerk of Court is directed to send plaintiff a new Application to Proceed In Forma Pauperis By a Prisoner.

IT IS SO ORDERED.

Dated: May 20, 2024


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE